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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Raj Kumar

ORA005 US

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EXAMINER

DAS, CHAMELI

ART UNIT

PAPER NUMBER

2192

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/945,118

Applicant(s)

KUMAR ET AL.

Examiner

CHAMELI C. DAS

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 and 23-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 23-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. This action is in response to the amendment filed on 9/28/05.
2. Claims 1-3, 8, 14, 23-26, and 28-29 have been amended.
3. Claims 15-22 have been canceled.
4. Claims 1-14, and 23-29 have been rejected.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-6, 12-14, 23-26, and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Burke, US 6,789,252.

***As per claims 1, and 23, Burke (US 6,789,252) discloses:***

- creating a new object for use by a new instance of the application, using an existing object used by an existing instance of the application... of the application (col 9 lines 47-50, col 5 lines 31-59, col 18 lines 65-67, col 19 lines 1-5, col 20 lines 14-32, col 79 lines 1-5)
- setting up a connectivity between the new instance and the network (col 25 lines 6-14, col 26 lines 1-16)
- starting execution of the new instance of the application (col 25 lines 38-50, col 56 lines 62-65, col 4 lines 37-42)
- wherein the new instance of the application uses the new object ... plurality of processes ( col 6 lines 10-30, col 5 lines 30-59).

***As per claims 2, and 24, Burke discloses:***

- making a copy of said existing object (col 20 lines 21-26)
- renaming the copy using name of the new instance of the application (col 20 lines 21-26, col 54, line 9)

***As per claim 3, Burke discloses:***

- automatically choosing a name .. application (col 20 lines 20-25, col 22 lines 15-22)

***As per claim 4, Burke discloses:***

- adding an entry for the new instance ...new instance (col 39 lines 40-45, col 46 lines 26-32).

***For claim 5, (col 1 lines 23-30, col 7 lines 50-56, col 8 lines 58-67, col 30 lines 6-20).***

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**For claim 6** (col 1 lines 23-30, col 7 lines 50-56, col 8 lines 58-67, col 30 lines 6-20, col 42 lines 16-25).

**For claim 12**, (Burke, col 6 lines 30-40, col 60 lines 15-20, col 42 lines 50-67, col 43 lines 1-10).

**For claim 13** (Burke, col 44 lines 3-16).

**For claim 14** (Burke, col 25 lines 6-25).

**For claim 25** (Burke, col 24 lines 62-67, col 25 lines 1-36), where instances of the objects are deleted clearly shows that the instances are killed and by "drop" activities the network explorer deletes the connectivity as claimed.

**For claim 26** (Burke, col 51 lines 49-67, col 52 lines 1-38).

**For claim 28** (Burke, col 50 lines 50-57).

**For claim 29** (Burke, col 33, lines 50-60, col 13, lines 55-60).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke, US 6,789,252 and further in view of Feuerman, US 6,529,947.

***As per claim 7***, Burke does not specifically disclose displaying a list of computers and receiving from a user a selection of a second computer in said list. However, Feuerman discloses displaying a list of computers and receiving from a user a selection of a second computer in said list (Abstract, col 3 lines 20-25, Fig 2). The modification would be obvious because one of the ordinary skill in the art would be motivated to implement a system where the user can view the list of elements (computers) at a single time on a computer screen in a user-friendly environment.

***As per claim 8***, the rejection of claim 7 is incorporated and further Burke discloses each computer in said list does not have an instance of said application (col 23 lines 52-67, col 24 lines 1-2, col 39 lines 34-40).

***As per claim 9***, the rejection of claim 7 is incorporated and further Burke discloses at least one computer has one instance of said application (col 10 lines 62-64, col 39 lines 34-40).

***For claim 10***, Feuerman discloses installing software for said application ... does not have said software (Feuerman, col 4 lines 57-62). The modification would be obvious because one of the ordinary skill in the art would be motivated to check for the presence of the system resources that are vital for the system.

***As per claim 11***, the rejection of claim 7 is incorporated and further Burke discloses setting up resources ... computer (Burke col 66 lines 10-20, col 51 lines 30-40).

8. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burke, US 6,789,252 and further in view of Snyder et al (Snyder), US 6,640,255.

***As per claim 27***, Snyder discloses static configuration as claimed (Snyder, col 14 lines 13-24). The modification would be obvious because one of the ordinary skill in the art would be motivated to implement a permanent resource configuration to operate the system properly.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. The prior art made or record and not relied upon is considered pertinent to applicant's disclosure.

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TITLE: System and methods for integration of custom classes into pre-existing objects models, US 6968538 B2

TITLE: Method and system for assembling and utilizing components in component object systems, US 6230309 B1

TITLE: System and method providing automatic policy enforcement in a multi-computer service application, US 6915338 B1

TITLE: Application development interface for multi-user applications executable over communication networks, US 6826523 B1

TITLE: Method and system for remote automation of object oriented applications, US 6820267 B2

TITLE: Multi-user server application architecture with single-user object tier, US 6714962 B1

TITLE: System and procedure for concurrent database access by multiple user applications through shared connection processes, US 5596745 A

TITLE: Methods and apparatus for providing dynamic invocation of applications in a distributed heterogeneous environment, US 5341478 A

TITLE: Multitasking computer system for integrating the operation of different application programs which manipulate data objects of different types, US 5421012 A.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at (571)272-3695. The fax number for this group is (571)273-8300.



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After October 25, 2004, the examiner can be reached at new telephone number (571) 272-3696, and the examiner's supervisor Tuan Dam can be reached at (571) 272-3695.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 571-272-2100.

*Chameli C. Das*  
**CHAMELI C. DAS**  
**PRIMARY EXAMINER**  
*12/5/05*